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JAN 07 2005

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**FAX COVER SHEET**

January 7, 2005

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TO: Examiner Qamrun Nahar  
U.S. Patent and Trademark Office

FAX number: (703) 872-9306  
Voice number: (703) 305-7699

FROM: Jack H. McKinney

RE: Serial No. 09/676,078

PAGES: Number of pages, including this cover sheet: 3

ADDITIONAL MESSAGE:

Please find attached for filing a Notice of Appeal (duplicate copy)

**HEWLETT-PACKARD COMPANY**  
 Intellectual Property Administration  
 P. O. Box 272400  
 Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10002960-1

**IN THE**  
**UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): David Bohan

Confirmation No.: 4954

Application No.: 09/676,078

Examiner: Qamrun Nahar

Filing Date: Oct. 2, 2000

Group Art Unit: 2124

Title: Utilization of Third Party Legacy List

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Commissioner for Patents  
 PO Box 1450  
 Alexandria, VA 22313-1450

JAN 07 2005

**NOTICE OF APPEAL FROM THE EXAMINER TO THE**  
**BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, Nov. 10, 2004, rejecting the following claims 1-25 and 28-30. The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

( ) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

( ) one month	\$120.00
( ) two months	\$450.00
( ) three months	\$1020.00
( ) four months	\$1590.00

( ) The extension fee has already been filed in this application.

(X) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: \_\_\_\_\_  
 OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (703) 872-9306 on Jan. 7, 2005.

Number of pages: 3

Respectfully submitted,

David Bohan

By

Jack H. McKinney

Attorney/Agent for Applicant

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Number of pages: 3

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David Bohan

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